



County of Fairfax, Virginia

2015 Planning Commission

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Clerk to the Commission

October 2, 2015

Shawn Smith
Trulie Investment Corporation
9986 Manchester Road
St. Louis, MO 63122

**Re: SE 2014-HM-066 – SPORTS AUTHORITY, INC.
Hunter Mill District**

Dear Mr. Smith:

At its October 1, 2015 meeting, the Planning Commission voted 10-0 (Commissioners Hedetniemi and Lawrence were absent from the meeting) to **RECOMMEND APPROVAL** of the above-referenced application, subject to the development conditions dated September 16, 2015, as attached. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

John W. Cooper
Clerk,
Planning Commission

cc: Catherine Hudgins, Supervisor, Hunter Mill District
Frank de la Fe, Planning Commissioner, Hunter Mill District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Bob Katai, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
October 1, 2015 date file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



Development Conditions**SE 2014-HM-066****September 16, 2015**

The Board of Supervisors approved SE 2015-HM-066 for a waiver of certain sign regulations located at Tax Map 29-3 ((1)) 32 pursuant to Section 9-620 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception diagrams approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the issuance of a Sign Permit(s). Any permit submitted pursuant to this special exception shall be in substantial conformance with the Special Exception diagrams titled "Sports Authority, 8355 Leesburg Pike", prepared by SES, and dated June 2, 2014, consisting of seven pages. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Lighting associated with all signs shall conform to the requirement of Part 9, Outdoor Lighting Standards, of Article 14, Performance Standards, of the Fairfax County Zoning Ordinance.
5. Prior to the issuance of the Sign Permit, the applicant shall demonstrate to the satisfaction of the Zoning Administrator that the freestanding sign complies with the sight distance requirements of Sect. 2-505 of the Zoning Ordinance.
6. Prior to the issuance of the Sign Permit, the applicant shall demonstrate to the satisfaction of the Zoning Administrator that the freestanding sign is located outside of the right-of-way of Leesburg Pike.
7. No unpermitted temporary advertising signs, including but not limited to banners and "popsicle" signs, shall be placed on the building or along the street frontages of the subject property. Any such signs placed by tenants shall be promptly removed by the management of the site. This shall not preclude temporary signs allowed by Article 12 that do not require permits. No signs permits shall be issued for the site if there are existing signs in violation with the Zoning Ordinance or the Special Exception conditions.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless,

at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by issuance of a sign permit in accordance with this special exception. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Planning Commission Meeting
October 1, 2015
Verbatim Excerpt

SE 2014-HM-066 – SPORTS AUTHORITY, INC.

After Close of the Public Hearing

Chairman Murphy: Without objection – public hearing is closed. Recognize Mr. de la Fe.

Commissioner de la Fe: Thank you, Mr. Chairman. Mr. Chairman, could the applicant please step forward and – are you in agreement with the proposed development conditions dated September 16th, 2015?

Shawn Smith, Applicant's Agent, Trulie Investment Corporation: Yes sir.

Commissioner de la Fe: Thank you very much. This is a – in effect, it's a Special Exception because of the district it's in. And the – that's yours.

Chairman Murphy: Sorry.

Commissioner de la Fe: But – you know, so it's not a sign plan, but it is a sign change. And all that they are requesting is to add the name of the – Sports Authority to an existing sign that is already there – that is to be placed below the other two major tenants. And therefore, it doesn't increase the size of the – or height of the sign, station, or anything like that. So it is, I believe, quite simple. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-HM-066, SUBJECT TO CONDITIONS DATED SEPTEMBER 16, 2015.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-HM-066, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

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(The motion carried by a vote of 10-0. Commissioners Hedetniemi and Lawrence were absent from the meeting.)

JLC